

EX PARTE OR LATE FILED

RECEIVED ⁵

ELECTRONIC INDUSTRIES ASSOCIATION

DEC - 8 1994



FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

December 8, 1994

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, NW, Room 222
Washington, DC 20554

**Re: Amendment of Part 90 of the Commission's Rules to Adopt
Regulations for Automatic Vehicle Monitoring Systems
ET Docket No. 93-7**

Dear Mr. Caton:

Mr. George Hanover and Mr. Joe Peck met with Lisa Smith of Commissioner Barrett's office and Jill Luckett of Commissioner Chong's office on Wednesday, December 7, 1994, to discuss the above-referenced issue. Information discussed is attached.

In accordance with Section 1.1206 of the Commission's rules we are enclosing an original and one copy of this letter for placement in the file.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joe P. Peck", is written over a large, stylized circular flourish.

Joe P. Peck
Staff Director, Congressional Affairs
Consumer Electronics Group

Attachment

No. of Copies rec'd
List ABCDE

041

EX PARTE OR LATE FILED

RECEIVED

ELECTRONIC INDUSTRIES ASSOCIATION

DEC - 8 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY



December 7, 1994

BY HAND DELIVERY

The Honorable Reed E. Hundt
Chairman
Federal Communications Commission
1919 M Street, NW, Room 814
Washington, DC 20554

Re: **Amendment of Part 90 of the Commission's Rules to Adopt
Regulations for Automatic Vehicle Monitoring Systems**

Dear Chairman Hundt:

This responds to your December 2 request on how action the Commission could take on the 900 MHz band would affect consumer products. As roughly one million products have been bought in the past two years by consumers and tens of millions more are expected to be sold, we appreciate your interest in protecting existing and future consumers of these products.

As we understand the FCC action being discussed (Attachment A), it appears to be a solution which is reasonably compatible with the vast majority of consumer products. Since we have not seen the draft Report and Order, we do have some questions about the details (see Attachment B). Also, the time available limited our ability to consult with our members.

Nonetheless, we believe the FCC can take the approach contemplated comfortable that it will not affect most existing well-known consumer products such as cordless telephones and wireless speakers. The proposed FCC action could, however, affect emerging services which rely on pole-top outdoor transmitters — such as wireless modems.

On the whole, the solution proposed appears fairly elegant, and we applaud you on your leadership.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary J. Shapiro", is written over a circular stamp that is partially visible.

Gary J. Shapiro
Group Vice President
Consumer Electronics Group

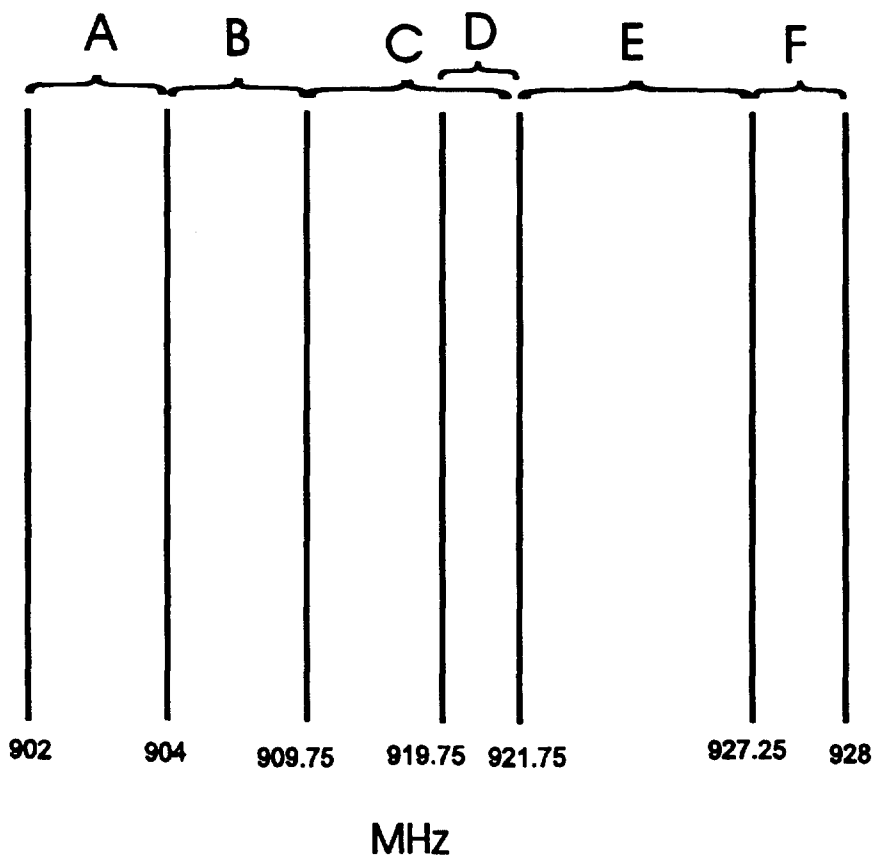
Attachments: a/s

cc: Rosalind K. Allen, Acting Chief of Commercial Radio Division

BAND PLAN
902-928 MHz

- | | | |
|----|-----------------|---|
| A. | 902 - 904 | Non-multilateration and Part 15 |
| B. | 904 - 909.75 | Exclusive Subband for license auction of multilateration (LMS), non-multis and low-power |
| C. | 909.75 - 921.75 | Non-multilateration and Part 15 |
| D. | 919.75 - 921.75 | Special Subband for license auction with multilateration co-principal with non-multi's and low-power licenses |
| E. | 921.75 - 927.25 | Exclusive Subband for license auction of multilateration, non-multis and low-power |
| F. | 927.25 - 928 | Narrow band forward links for LMS |

BAND PLAN
902-928 MHz



- I. Part 15 Devices may operate throughout the band
- II. Three (3) Subbands are for auctioning, with two allowing exclusive use
- III. Non-multilateration are licensed on shared basis in 902-904 and 909.75-921.75
- IV. New "low-power" licenses available by auction to current Part 15 devices and services that want the protection of an exclusive license. These will be issued from the three (3) Subbands set aside for license auctions.
- V. Three (3) year transition period to allow devices/services operating outside allowable spectrum to move.
- VI. Part 15 Devices not exempt from Interference Rules within the 902-928 MHz band:
 1. Transmitter outdoors and above five meters from the ground
 2. For devices with transmitters which do not meet the above criteria, power can be reduced to maintain exemption using an equation $[20\log(\text{actual height} \div 5)]$ in dB] up to 15 meters. Transmitters above 15 meters are not exempt.
 3. No more than 6dB antenna gain for a 1 watt transmitter (already included in Part 15 rules)
- VII. No wideband forward links for LMS

Attachment B

- What are the rules and procedures for resolving complaints of interference from Part 15 devices to AVM/LMS if a Part 15 device exceeds a specified threshold? Is there any burden on the AVM/LMS operator to verify or prove that a particular Part 15 transmitter is causing harmful interference?
- Because Section 15.247 of the Rules encourages devices to spread their transmissions across much or all of the band, what benefit would be derived by a Part 15 operator by purchasing a "low-power" license for a specified band segment?
- What power and duty-cycle limits apply to multilateration reverse links?
- What power and duty-cycle limits apply to non-multilateration systems?
- What will be the disposition of licenses that are currently held by AVM operators (under the interim Rules) but are not yet built?
- What type of hierarchy rules will be applicable to grandfathered AVM systems?
- What type of hierarchy rules will apply to low power licensees?
- Will the presumption of non-interference for Part 15 devices below the "thresholds" (outdoor height/power and power/antenna gain) be rebuttable by AVM/LMS operators under any circumstances?
- What is the technical basis for a height threshold for Part 15 devices?